

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—GENERAL

Case No. **EDCV 16-620-JGB (KKx)**

Date: December 19, 2017

Title: *Xochitl Hernandez, et al. v. Jeff Sessions, et al.*

Present: The Honorable **KENLY KIYA KATO, UNITED STATES MAGISTRATE JUDGE**

DEB TAYLOR

Deputy Clerk

Not Reported

Court Reporter

Attorney(s) Present for Plaintiff(s):

None Present

Attorney(s) Present for Defendant(s):

None Present

Proceedings: Order re: Stipulated Protective Order [Dkt. 142]

The parties' proposed Stipulated Omnibus Discovery Order has been referred by the District Judge to the Magistrate Judge for consideration. The parties are advised that the Court declines to issue the proposed protective order to which they have stipulated for the following reasons:

1. While the Court is willing to enter a protective order in accordance with the parties' stipulation in order to facilitate the conduct of discovery, the Court is unwilling to include in the protective order any provisions relating to evidence presented at trial or other court hearings or proceedings. **Any use of Protected Material at trial or other court hearings or proceedings shall be governed by the orders of the trial judge.** Proposed ¶ 3.1 needs to be revised to include language to make this explicit.

2. Proposed ¶¶ 5.3 and 14.3 need to be revised to make clear that any motion challenging a party's designation of material as Confidential Information, seeking to modify or amend the proposed Protective Order, or seeking to "present the information to the court under seal for a determination of the claims" pursuant to Federal Rule of Civil Procedure 26(b)(5)(B) must be brought in strict compliance with Local Rules 37-1 and 37-2 (including the Joint Stipulation requirement).

The parties are further directed to the Court's sample stipulated protective order located on the Court's website for a sample of the format of an approved stipulated protective order. The parties are strongly encouraged to use the language contained in the approved stipulated protective order.

cc: United States District Judge Jesus G. Bernal